



Support for HB 4078

House Military, Veterans, and Homeland Security Committee

March 23, 2021

Honorable Committee Members,

I write today on behalf of Michigan Open Carry, Inc. in **support** of HB 4078, which would change Michigan law to permit long guns to be lawfully possessed in or upon motor vehicles on private property.

Currently, Michigan law prohibits possessing firearms, other than pistols, in or upon a vehicle unless the firearm is unloaded **and** either encased or in the trunk of the vehicle. MCL 324.40111. This law is **more strict** than the penal code¹, and does not distinguish between private and public property. Further, in contrast, it is not against Michigan law to possess a loaded pistol in a vehicle on private property, with or without a Concealed Pistol License. MCL 324.43510 and MCL 750.227.

The result of this overly strict law is excessive enforcement by the DNR against otherwise benign activity, even on private property, that applies only to long guns (rifles and shotguns). As confirmed by a DNR liaison², leaning an unloaded shotgun against a motionless vehicle violates this statute, subjecting the individual to a misdemeanor criminal charge.

Whether one is transporting a firearm, target shooting from the bed of a truck or over the hood of a car, or simply leaning their firearm against their vehicle while they load the vehicle, Michigan Open Carry, Inc. supports the right of private property owners to permit these activities on their own property.

Sincerely,
Tom Lambert
Legislative Director
Michigan Open Carry, Inc.

¹ MCL 750.227d.

² See testimony from DNR liaison to House Judiciary Committee on May 21, 2019, a recording of which may be found at https://youtu.be/p_IPHnUolic?t=630.